

Exhibit E

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ERIE

MERCHANT CAPITAL GROUP LLC

Index No.

Plaintiff,

-against-

ADVANCED MEDICAL SERVICES PLLC DBA

ADVANCED SLEEP DIAGNOSTICS OF MI and

ABID HUSSAIN AGHA

Defendants.

**AFFIDAVIT OF  
CONFESSION OF JUDGMENT**

STATE OF \_\_\_\_\_ ) ss:

COUNTY OF \_\_\_\_\_ )

ABID HUSSAIN AGHA, being duly sworn upon my oath, deposes and says:

1. I am the above-captioned Defendant. I reside at [REDACTED] and I have personal knowledge of all facts set forth herein.
2. I am also the owner and principal of ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and MICHIGAN SPINE AND PAIN, PLLC and SLEEP DIAGNOSTICS OF MICHIGAN, PC located at 2525 Jolly Road, Okemos, MI 48864 and have full authority to enter binding agreements on behalf of this entity.
3. This Affidavit of Confession is for a debt justly due to Plaintiff arising from Plaintiff's purchase of the receivables of ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and MICHIGAN SPINE AND PAIN, PLLC and SLEEP DIAGNOSTICS OF MICHIGAN, PC. Additionally, ABID HUSSAIN AGHA agreed to personally guarantee the debt in the ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and MICHIGAN SPINE AND PAIN, PLLC and SLEEP DIAGNOSTICS OF MICHIGAN, PC defaults.

4. ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and MICHIGAN SPINE AND PAIN, PLLC and SLEEP DIAGNOSTICS OF MICHIGAN, PC agreed to pay Plaintiff the principal sum \$ 93,450.00 pursuant to the Merchant Agreement as follows: 20% of daily deposits equal to \$494.00 a day until fully paid.
5. ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and MICHIGAN SPINE AND PAIN, PLLC and SLEEP DIAGNOSTICS OF MICHIGAN, PC agreed that, in the event it was in default under the terms of the Merchant Agreement as described above, it would confess judgment in the Federal District court for the Southern District of New York, the Supreme Court of the State of New York, County of Kings, Supreme Court of the State of New York, County of Erie, Supreme Court of the State of New York, County of Westchester or in any County in the State where I reside, in the amount of \$ 93,450.00 less any payments made hereunder plus simple interest thereon at the annual rate of sixteen (16%) per annum from the date of default until full repayment, plus costs and disbursements, plus legal fees to Plaintiff calculated at twenty five percent (25%) of the total confessed amount.
6. This Confession of Judgment is for a debt justly due to Plaintiff arising from Plaintiff's purchase of ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and MICHIGAN SPINE AND PAIN, PLLC and SLEEP DIAGNOSTICS OF MICHIGAN, PC receivables wherein ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and MICHIGAN SPINE AND PAIN, PLLC and SLEEP DIAGNOSTICS OF MICHIGAN, PC agreed to repay certain sums to Plaintiff in the event of default. Additionally, ABID HUSSAIN AGHA agreed to personally guarantee the debt in the event of default.

7. ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and MICHIGAN SPINE AND PAIN, PLLC and SLEEP DIAGNOSTICS OF MICHIGAN, PC and ABID HUSSAIN AGHA hereby confess judgment and authorize entry of Judgment in the Federal District court for the Southern District of New York, Supreme Court of the State of New York, County of Kings, the Supreme Court of the State of New York, County of Erie, the Supreme Court of the State of New York, County of Westchester or in any County in the State where I reside, and in favor of Plaintiff in the sum of \$ 93,450.00 less any payments made hereunder, plus simple interest thereon at the annual rate of sixteen (16%) per annum from the date of default until full repayment, plus costs and disbursements, plus legal fees to Plaintiff calculated at twenty five percent (25%) of the total confessed amount.

disbursements, plus legal fees to Plaintiff calculated at twenty five percent (25%) of the total confessed amount.

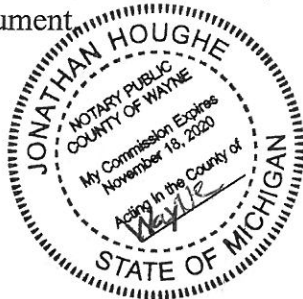
Abid Agha

ABID HUSSAIN AGHA  
individually and on behalf of  
ADVANCED MEDICAL  
SERVICES PLLC DBA  
ADVANCED SLEEP  
DIAGNOSTICS OF MI

STATE OF Michigan )  
 )  
COUNTY OF Wayne )

ss:

On the 9th day of Jan. 2017 before me, the undersigned, personally appeared ABID HUSSAIN AGHA, personally known to me or proved to me based on satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person on behalf of whom the individual acted, executed the instrument



Jonathan Houghe  
NOTARY PUBLIC



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Index No.	Year	RJI No.	Hon.
SUPREME COURT OF THE STATE OF NEW YORK			
COUNTY OF ERIE			

---

MERCHANT CAPITAL GROUP, LLC

Plaintiff,

-against-

ADVANCED MEDICAL SERVICES PLLC DBA ADVANCED SLEEP DIAGNOSTICS OF MI and

HUSSAIN AGHA

Defendants

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**AFFIDAVIT OF CONFESSION OF JUDGMENT**

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**Ariel Bouskila, Esq.**  
Berkovitch & Bouskila, PLLC  
*Attorney for Plaintiff*

*Office and Post Office Address, Telephone*  
**40 Exchange Place Ste 1306**  
**New York, New York 10005**  
**United States**  
**Phone: (212) 433-2296**  
**Fax: (347) 331-0552**

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Service of a copy of the within is hereby admitted.

Dated,

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Attorney(s) for

Please take notice

☐ Notice of Entry

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within name court on

☐ Notice of settlement

that an order of which the within is a true copy will be presented for  
settlement to the HON. one of the  
judges of the within named court, at  
on at

Dated,

Yours, etc.

Attorney(s) for

**FILED: ERIE COUNTY CLERK 08/11/2017 01:02 PM**

INDEX NO. 811147/2017

NYSCEF DOC. NO. 5

RECEIVED NYSCEF: 08/11/2017

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ERIE

MERCHANT CAPITAL GROUP, LLC

Index No: 17 811147

Plaintiff,

-against-

ADVANCED MEDICAL SERVICES PLLC DBA  
ADVANCED SLEEP DIAGNOSTICS OF MI and  
ABID HUSSAIN AGHA,**JUDGMENT OF  
CONFESSION**

Defendants.


Amount confessed.....	\$93,450.00
Less Amount Paid.....	\$64,220.00
Amount Due.....	\$29,230.00
Attorney's Fees.....	\$7,307.50
Interest.....	\$281.89
Costs by Statute.....	\$15.00
Filing Fee.....	\$210.00
Cost Total.....	\$225.00
Judgment Total.....	\$37,044.39

## STATE OF NEW YORK, COUNTY OF NEW YORK: ATTORNEY'S AFFIRMATION

The undersigned, an attorney at law of the State of New York, affirms that he is one of the attorneys of MERCHANT CAPITAL GROUP, LLC attorney for the plaintiff herein and states that the disbursements above specified are correct and true and have been or will necessarily be made or incurred herein and are reasonable in amount and affirms this statement to be true under the penalties of perjury.

Dated: August 10, 2017

1 -

**FILED AND  
DOCKETED****Aug 11 2017****AT 01:01 P M  
ERIE COUNTY CLERK**
  
 Ariel Bouskila, Esq  
 Berkovitch & Bouskila, PLLC  
 Attorney for Plaintiff  
 40 Exchange Place Ste 1306  
 New York, New York 10005

**FILED: ERIE COUNTY CLERK 08/11/2017 01:02 PM**

INDEX NO. 811147/2017

NYSCEF DOC. NO. 5

RECEIVED NYSCEF: 08/11/2017

Phone: (212) 433-2296

JUDGMENT entered the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

On filing the foregoing Affidavit of Confession of Judgment made by the defendant herein, sworn to the 9th day of January 2017

NOW, ON MOTION OF Ariel Bouskila, Esq. attorney for plaintiff it is

ADJUDGED that plaintiff Merchant Capital Group, LLC, having an address at 111 Miami Gardens Drive., Suite 316 Miami Gardens, Florida 33169 does recover of Advanced Medical Services PLLC dba Advanced sleep Diagnostics of MI, having an address of 2525 Jolly Road Okemos, Michigan 48864 and Abid Hussain Agha having an address at [REDACTED] the sum of \$29,230.00 and attorney's fees in the amount of \$7,307.50 with interest of 16% in the amount of \$281.89 as calculated from July 19, 2017 making a total of \$36,819.39; together with \$225.00 costs and disbursements, amounting in all to the sum of \$37,044.39; and that the plaintiff have execution therefor.

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Clerk**Judgment Signed and Filed 8/11/2017**

  
**Peggy A. Lagree Acting County Clerk**

**FILED: ERIE COUNTY CLERK 08/11/2017 01:02 PM**

INDEX NO. 811147/2017

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Plaintiff,

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HUSSAIN AGHA

Defendants

**JUDGMENT**

**Ariel Bouskila, Esq.**  
**Berkovitch & Bouskila, PLLC**  
*Attorney for Plaintiff*

*Office and Post Office Address, Telephone*  
**40 Exchange Place Ste 1306**  
**New York, New York 10005**  
**United States**  
**Phone:(212) 433-2296**  
**Fax:(347) 331-0552**

Service of a copy of the within is hereby admitted.

Dated,

Attorney(s) for

Please take notice

☐ Notice of Entrythat the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within name court on☐ Notice of settlementthat an order of which the within is a true copy will be presented for  
settlement to the HON. one of the  
judges of the within named court, at  
on at

Dated,

Yours, etc.

Attorney(s) for